



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/770,386	12/02/96	HANNAH	E 42390.P3294C

E3M1/0501

STEVEN R SPONSELLER
BLAKELY SOKOLOFF TAYLOR AND ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES CA 90025

EXAMINER
HSIA, S

ART UNIT	PAPER NUMBER
2602	5

DATE MAILED:

05/01/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 12-02-96
- ☐ This action is FINAL.

- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 26-47 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 36-47 is/are allowed.
- ☒ Claim(s) 26-35 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

Art Unit: 2602

1. Claim 42 is objected to because of the following informalities: In claim 42, line 8, "of" should be deleted. Appropriate correction is required.
2. Claims 26-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 26 recites the limitation "the gain level" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 35 recites the limitation "the gain level" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

OR

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Art Unit: 2602

Claims 26, 27 and 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu.

Shimizu discloses a video camera device having an exposure control circuit having all the claimed features, including a sensor (3), an amplifier (4) and processor (12) (see Figs. 1, 4, 5, 7 and accompanying text).

4. Claims 26, 27 and 33-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Iwamatsu or Koyama, both of applicant submitted prior art.

Iwamatsu discloses a negative-image signal processing apparatus having all the claimed features, including a sensor (10), an amplifier (15, 16) and processor (11) (see Figs. 1, 7, 10 and accompanying text).

Koyama discloses an image processing apparatus with variable clamping having a sensor (1), an amplifier (2) and processor (3) (see Figs. 1, 4 and accompanying text).

5. Claims 28-32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

6. Claims 36-47 are allowable over prior art.

Art Unit: 2602

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Hieda discloses an image sensing method and apparatus for producing a color video signal and luminance video signal having a AGC circuit, a CCD and a camera signal processor.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703)305-4738. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Peng, can be reached on (703) 305-4702. The fax phone number for this Group is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

SH
April 25, 1997


SHERRIE HSIA
PRIMARY EXAMINER
GROUP 2600